

REMARKS

Claims 1-21 were pending. Claims 18-21 were withdrawn pursuant to restriction.

Preliminarily, Applicants note that correspondence is still being forwarded to the prior law firm. A Change of Correspondence Address Application was forwarded on April 10, 2003, received April 24, 2003 (copy of return postcard stamped with receipt date and Change of Correspondence Address Application enclosed). Please update the files or advise Applicants what else needs to be done.

In the Office Action, the Examiner required a further election of a single species from each of the following generic categories (a)-(d):

- (a) selectable marker (antibiotic resistance or otherwise) as recited in claim 5;
- (b) enzyme capable of converting a prodrug to its active drug form;
- (c) prodrug (e.g., CB1954, SN 23862, 2-[N,N-bis(2-iodethyl)amino]-3,5-dinitrobenzamide, 5-fluorocytosine, acyclovir, gancyclovir, 6-methyl-9-(2-deoxy- β -D-erythro-pentofuranosyl) purine) in claim 7;
- (d) single enzyme from which variants are derived, recited in claim 9.

Pursuant thereto, Applicants elect the following corresponding species from each of the categories (a)-(d):

- (a) kanamycin resistance
- (b) nitroreductase (more specifically nfnB)
- (c) CB1954

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PATENT

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(d) nitroreductase (more specifically nfnB)

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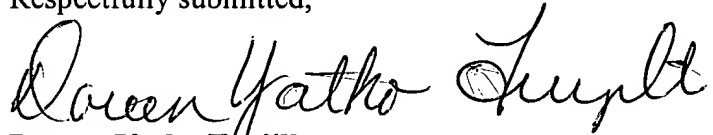
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CONCLUSION

For the foregoing reasons, Applicant respectfully submits that all claims are allowable and requests early notification of the same. If the Office disagrees, the Examiner is requested to call the undersigned at 215-665-5593 to discuss.

Respectfully submitted,

A handwritten signature in black ink, reading "Doreen Yatko Trujillo". The signature is written in a cursive, flowing style.

Doreen Yatko Trujillo
Registration No. 35,719

Date: December 17, 2004

COZEN O'CONNOR, P.C.
1900 Market Street, 6th Floor
Philadelphia, PA 19103-3508
(215) 665-5593 - Telephone
(215) 701-2005 - Facsimile